IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 1134 OF 2007

Laxman Hari Bhandari-Nikam.... Petitioner

versus

Bhau Savala Bhandari & ors..... Respondent.

Shri U.P.Warunjikar for the petitioner.

CORAM; A.P. DESHPANDE, J.
DATED; 05TH SEPTEMBER, 2007

P.C.;

1. In a pending suit filed by the present petitioner, he moved an application for temporary injunction. The trial court rejected the application and aggrieved thereby a Misc. Civil Appeal is carried by the petitioner before the District Court. The District Judge concurring with the view taken by the trial court, has recorded a finding that the petitioner/plaintiff has failed to make out a primafacie case about he being in exclusive possession of his share in the suit property. Relying on the record of rights and reasons recorded in para 8 of the order, the first Appellate Court has observed that the plaintiff so also the defendant have 1/2 share in the land in question, and thus rejected the application.

2. Perused the orders passed, which are impugned in this petition. No interference is called for. Writ Petition thus deserves to be summarily dismissed. The learned counsel for the petitioner submits that the trial court be directed to decide the suit expeditiously. Having regard to the fact that the suit is pending for about two years, I deem it appropriate to order its expeditious disposal. I hope and trust that the trial court will proceed to decide the suit as expeditiously as possible.

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